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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,860	08/18/1999	HENRICUS A. W. VAN GESTEL	PHN-17.070	7043

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
HU, JINSONG	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/376,860	VAN GESTEL ET AL.	
	Examiner	Art Unit	
	Jinsong Hu	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *4 and 6-10* is/are allowed.

6)☒ Claim(s) *1-3 and 11-21* is/are rejected.

7)☒ Claim(s) *5* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-21 are presented for examination. Claims 1-3 and 11 have been amended; claims 16-21 are newly added claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 11-13 and 16-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hidary et al. (US 5,774,664).

4. As per claims 1 and 21, Hidary teaches the invention as claimed including an information processing device [col. 1, line 65 – col. 2, line 12], comprising:

a first storage device [78, Fig. 4] for storing units of primary information [col. 6, lines 26-41];

a user operable interface [16, Fig. 4] for making selections from the stored units of primary information to be processed and/or from functions to be invoked [col. 4, lines 28-35];

a second storage device [98, Fig. 4], a presentation device for presenting information and a personalizing processor configured for deriving from the selections, personalizing information that includes information other than the mere fact that the selected units were selected in order to store the derived personalizing information in second storage device [col. 5, lines 46-65; col. 6, line 55 –col. 7, line 29; col. 9, line 3 – col. 10, line 2]; and

said processor being further configured to in response to a unit of said stored units of primary information being processed, retrieve from the second storage device a respective portion of the stored derived personalizing information and operate the presentation device to present the retrieved portion [col. 7, line 66 – col. 8, line 17].

5. As per claims 2 and 3, Hidary teaches that the personalizing processor is configured to maintain a link between a respective unit of said primary information and a respective unit of the personalizing information [col. 7, line 66 – col. 8, line 17].

6. As per claim 11, Hidary teaches that the deriving serves to personalize stored units of primary information corresponding to the selections to form derived personalizing information to be stored in the second storage device [col. 7, lines 11-30].

7. As per claims 12 and 13, Hidary teaches that the second storage device is in communication connection with the first storage device [col. 5, lines 47-65].

8. As per claim 16, aaa teaches the steps of the derive personalizing information can be altered on the second device and the units of primary information are erasable from the first storage device [col. 6, lines 26-31; col. 6, line 55 – col. 7, line 5].

9. As per claims 17-18, since they are device claims of claims 1 and 16, they are rejected for the same basis as claims 1 and 16.

10. As per claims 19 and 20, since they are method and program claims of claim 1, they are rejected for the same basis as claim 1 above.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary et al. (US 6,209,007) as applied to claims 1-3, 11-13 and 16-21 above, in view of Logan et al. (US 5,721,827).

13. As per claim 14, Hidary teaches the invention substantially as claimed in claim 1. Hidary does not specifically teach the personalizing information comprises an e-mail address and the information-processing device is a mobile unit. However, Logan on the other hand teaches the personalizing information comprises an e-mail address [col. 14, line 64 – col. 15, line 1] and the information-processing device is a mobile unit [col. 6, lines 32-44]. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Hidary and Logan because utilizing Logan's email address and mobile unit in Hidary's system would improve the functionality of the system by enabling users be able to use e-mail address which is a well-known communication method in the art and carry the information-processing unit around when they need. One of ordinary skill in the art would have been motivated to modify Hidary's system with Logan's email address and mobile unit to improve the functionality of the system.

Allowable Subject Matter

14. Claim 5 is objected to as being dependent upon a rejected base claim 1, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

15. Claims 4 and 6-10 are allowed.

Conclusion

16. Applicant's arguments with respect to claims 1-3 and 11-20 have been considered but are moot in view of the new ground(s) of rejection.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP §706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

18. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

February 3, 2005

VIET D. VU
PRIMARY EXAMINER